

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 12/16/2014	(3) CONTACT/PHONE Brian Pedrotti, Planner III/(805) 788-2788 Suzan Ehdaie, Planner II/(805)781-4974	
(4) SUBJECT Hearing to consider a request by the County of San Luis Obispo to approve "clean-up" amendments to the Real Property Division Ordinance, Title 21 of the County Code, and the Land Use Ordinance, Title 22 of the County Code as follows: amendments to Title 21, to: (1) update the names of the planning areas and their subareas that correspond to each fee zone for parks and recreational facilities and (2) require that applications for land divisions include justification for any request to receive partial credit against required Quimby fees for land divisions that provide usable common open space for park and recreational purposes, and amendments to Title 22 to: (1) include Section 22.30.480, Residential Uses in the Agriculture Land Use Category, in the Specific Use Standards for Single Family Dwellings and (2) replace references to the "Uniform Building Code" with the "California Building Standards Code" (amendments are exempt from CEQA); and take final action on all items previously given tentative approval on December 2, 2014. All Districts.			
(5) RECOMMENDED ACTION It is recommended that the Board: 1. Hold the public hearing on the minor "cleanup" amendments to Titles 21 and 22 of the County Code recommended for approval by the Planning Commission as set forth in the attached Exhibits and staff report. 2. Take final action on the amendment heard today (LRP2014-00002) and the amendments given tentative approval on December 2, 2014 (LRP2013-00015(b) and LRP2008-00013) by adopting and instructing the Chairperson to sign the attached resolution and ordinances.			
(6) FUNDING SOURCE(S) Current Budget	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> Hearing (Time Est. <u>60 minutes</u>) <input type="checkbox"/> Board Business (Time Est. <u> </u>)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input checked="" type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date: <u> </u>	
(17) ADMINISTRATIVE OFFICE REVIEW Lisa M. Howe			
(18) SUPERVISOR DISTRICT(S) All Districts			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Brian Pedrotti, Planner III
Suzan Ehdaie, Planner II

VIA: Kami Griffin, Assistant Director, Department of Planning and Building

DATE: 12/16/2014

SUBJECT: Hearing to consider a request by the County of San Luis Obispo to approve "clean-up" amendments to the Real Property Division Ordinance, Title 21 of the County Code, and the Land Use Ordinance, Title 22 of the County Code as follows: amendments to Title 21, to: (1) update the names of the planning areas and their subareas that correspond to each fee zone for parks and recreational facilities and (2) require that applications for land divisions include justification for any request to receive partial credit against required Quimby fees for land divisions that provide usable common open space for park and recreational purposes, and amendments to Title 22 to: (1) include Section 22.30.480, Residential Uses in the Agriculture Land Use Category, in the Specific Use Standards for Single Family Dwellings and (2) replace references to the "Uniform Building Code" with the "California Building Standards Code" (amendments are exempt from CEQA); and take final action on all items previously given tentative approval on December 2, 2014. All Districts.

RECOMMENDATION

It is recommended that the Board:

1. Hold the public hearing on the minor "cleanup" amendments to Titles 21 and 22 of the County Code recommended for approval by the Planning Commission as set forth in the attached Exhibits and staff report.
2. Take final action on the amendment heard today (LRP2014-00002) and the amendments given tentative approval on December 2, 2014 (LRP2013-00015(b) and LRP2008-00013) by adopting and instructing the Chairperson to sign the attached resolution and ordinances.

DISCUSSION

Recommendation 1:

At today's meeting, your Board will hold public hearings on the following amendments recommended for approval by the Planning Commission and take final action through adoption of a resolution and ordinance.

The Planning Commission is transmitting the record of its meeting of August 28, 2014 to your Board for the attached proposed amendments to Titles 21 and 22 as follows:

1. A request by the **COUNTY OF SAN LUIS OBISPO** to approve “clean-up” amendments to the Real Property Division Ordinance, Title 21 of the County Code, and the Land Use Ordinance, Title 22 of the County Code, as follows: 1) an amendment to Title 21, Section 21.09.040 to update the names of the planning areas and their subareas that correspond to each fee zone for parks and recreational facilities, 2) an amendment to Title 21, Section 21.02.048 (a) (15) to require that applications for land divisions include justification for any request to receive partial credit against required Quimby fees for land divisions that provide usable common open space for park and recreational purposes pursuant to Section 21.09.020, 3) an amendment to Title 22, Section 22.06.030, Table 2-2, to include Section 22.30.480, Residential Uses in the Agriculture Land Use Category, in the Specific Use Standards for Single Family Dwellings, and 4) an amendment to Title 22, Section 22.10.140 and various other Sections to replace references to the “Uniform Building Code” with the “California Building Standards Code.”

County File Number: LRP2014-00002

Supervisory District: All Districts

The Planning Commission considered the above amendments and took the following action to recommend approval of the proposed “cleanup” amendment:

On the motion of Commissioner Eric Meyer, seconded by Commissioner Topping and carried (4-0), with Commissioner Irving absent, recommending to the Board of Supervisors approval of the amendments as shown in Exhibits LRP2014-00002:A, based on Findings in Exhibit LRP2014-00002:B.

Background/Discussion:

On August 28, 2014, the Planning Commission held a public hearing to consider the proposed minor “cleanup” amendments to Real Property Division Ordinance and Land Use Ordinance, Title 21 and Title 22 of the County Code respectively. See Attachment E for the Planning Commission Staff Report discussing the details of the “cleanup” ordinance. After consideration of the amendments, the Planning Commission recommended that the Board amend these sections with minor “cleanup” revisions, as described below.

Minor Clean-up revisions to the Real Property Division Ordinance, Title 21 of the County Code

These amendments include minor revisions to Section 21.09.040 and Section 21.02.048.a.15 related to Quimby fees. Earlier this year, the Land Use and Circulation Elements were reorganized and the planning areas were consolidated into new, larger planning areas with “sub-areas.” As a result, Section 21.09.040 of the Real Property Division Ordinance must be updated to reflect the new planning areas and sub-areas that correspond to the planning areas listed in this section. This section outlines the fee zones for parks and recreational facilities.

These amendments also include a revision to Title 21 to add a requirement under Section 21.02.048(a)(15) for applications for land divisions. This would require that the application provide a justification for any request to receive partial credit against required Quimby fees for land divisions that provide usable common open space for park and recreational purposes pursuant to Section 21.09.020. Submitting a justification letter for common open space credit with the land division application package will provide adequate time to refer the application and obtain feedback from County Parks.

Minor Clean-up revisions to the Land Use Ordinance, Title 22 of the County Code

These amendments include a revision to Table 2-2, Allowable Land Uses and Permit Requirements, of Section 22.06.030 to reference Section 22.30.480, Residential Uses in the Agriculture Land Use Category, in the Specific Use Standards for Single Family Dwellings. This revision is necessary to ensure consistency in applying development standards to single-family dwellings in all relevant land use categories. In addition, references to the “Uniform Building Code” throughout the Land Use Ordinance need to be replaced with the “California Building Standards Code.” This is the current state

building code, and it is reflected in the County's Title 19, the Building and Construction Ordinance. This set of revisions also changes references to the specific "1997 Uniform Building Code Appendix Chapter 33" to Title 19 of the County Code, the document where it is now located.

The Title 21 portion of the amendments was introduced at the Board of Supervisors at the December 2, 2014 meeting. The introduction allows the project to be heard on December 16, 2014 with final action occurring at this same meeting.

Recommendation 2

In order to take final action to approve all amendments previously given tentative approval on December 2, 2014 and today, your Board will need to adopt the attached resolution and ordinances.

OTHER AGENCY INVOLVEMENT

The amendment was referred to all applicable responsible agencies and were reviewed and approved by the Planning Commission. In addition, County Counsel reviewed and approved the resolution and ordinances as to form and content.

FINANCIAL CONSIDERATIONS

County initiated amendments are processed using funds in the current Planning and Building Department budget.

RESULTS

Final approval of the requests will allow the amendments to become effective 30 days after today's date (January 16, 2015).

ATTACHMENTS

Recommendation 1: Ordinance Clean Up Amendments

Attachment A: Planning Commission Memo

Attachment B: Planning Commission Minutes from August 28, 2014

Attachment C: Staff Report for the August 28, 2014 Planning Commission Meeting

Recommendation 2: Final Adoption of all tentatively approved items

Attachment 1 – Board Resolution

Attachment 1a – Exhibit LRP2013-00015(b):B– Cambria Lions Club Map Amendment

Attachment 1b – Exhibit LRP2008-00013:B – Inland Framework for Planning RMS Amendment

Attachment 1c – Exhibit LRP2008-00013:C– Coastal Framework for Planning RMS Amendment

Attachment 1d – Exhibit LRP2014-00002:B – Title 21 Clean-Up Amendments

Attachment 1e – Exhibit LRP2014-00002:C – Title 22 Clean-Up Amendments

Attachment 1f – Exhibit A – Ordinance for Adoption